IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

RP.No. 856 of 2007(S)
IN
W.P.(C).8918 OF 2007

AGAINST THE JUDGEMENT/ORDER IN WPC.8918/2007 Dated 19/03/2007
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PETITIONERS:
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1. UNION OF INDIA REPRESENTED BY THE SECRETARY TO GOVERNMENT, MINISTRY OF DEFENCE GOVERNMENT OF INDIA, NEW DELHI 110 001.

2. DEFENCE PENSION DISBURSING OFFICER, 185,POLAYATHODU, KOLLAM 691 010.

3. CONTROLLER OF DEFENCE ACCOUNTS, NO. 618 ANNA SALAI,TEYNAMPET, CHENNAI 600 018.

BY ADV. SRI.THOMASMATHEW NELLIMOOTTIL,SR.PANEL

RESPONDENT:

SUDHAKUMARI (SUDHA C)
W/O. R. THIRUMONEY,MULLAKKAL HOUSE,
THEVALLY KOLLAM 691 011.

BY

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 26/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

R.P.NO.856 OF 2007 IN W.P.(C).NO.8918 OF 2007
&
C.M.APPLN.NO.380 OF 2007 IN R.P.NO.856 OF 2007

Dated 26th October, 2007

O R D E R

Koshy, J.

Respondent in this case was employed as a Part-Time Sweeper from 28.1.1993 onwards. She was continuously doing the work except on intermittent conmpulsory breaks. When her service was sought to be terminated she approached the Central Administrative Tribunal. Based on evidence and undisputed facts, tribunal by an interim order directed the present review petitioner to give all benefits of Part-Time Sweeper as she was continuously working from 28.1.1993 onwards and if any person is employed for such work on temporary basis or contract basis, that work should be given to her. Sweeping is a necessary work to be done in an Office and even according to the review petitioner, they have decided to give to outside parties on a contract service. In any event, tribunal only directed to give her all benefits as available to Part-Time Sweeper from 28.1.1993 onwards within a period of two months. She was not directed to be regularised in service. Tribunal 's order was in

2006. We have found that there is no patent illegality so as to attract powers under Article 227 of the Constitution of India. The judgment was dictated in the open court on 19.3.2007. No grounds are stated for condoning the delay in filing the review petition apart from the fact that no grounds are made for reviewing the judgment. Hence both delay condonation petition and review petition are dismissed.

J.B.KOSHY, JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

prp